

Department of Corrections

CHALLENGES

The Department will be focusing on these two major challenges:

- ◆ Offender Accountability
- ◆ Organizational Accountability

FISCAL YEARS 2001-2007

Challenge: **Offender Accountability**

Offender Accountability

The Offender Accountability Act

In 1999, the Offender Accountability Act (E2SSB 5421) was passed. The key elements of the Offender Accountability Act are:

Focus Resources on High-Risk Offenders

The Department will deploy resources to those offenders who pose the greatest risk of re-offending and causing harm in the community.

Hold Offenders Accountable

The Act expands the Department's authority to establish and modify conditions of supervision and to sanction violators. Department staff will have some discretion in determining the period of supervision in the community.

Develop a Community-Oriented Approach to Offender Management

Department staff will work with local law enforcement agencies, community leaders, community groups, crime victims, and businesses in those areas where community risk is highest.

"The Offender Accountability Act is the most important change in the state's role in criminal justice. It will strengthen our laws, hold offenders accountable upon their release, and allow the state to intervene to prevent recidivism and protect communities."

Governor Gary Locke

"This legislation has put our agency in the forefront of correctional practice in the nation."

*Joseph D. Lehman,
Secretary,
Department of
Corrections*

<u>Offender Accountability Act</u>	<u>Department Implementation</u>
Focus Resources on High-Risk Offenders	<ul style="list-style-type: none">— Risk Assessment— Risk Management
Hold Offenders Accountable	<ul style="list-style-type: none">— Reparation— Restitution— Offender Accountability Plan— Targeted Interventions— Victims Participation— Conditions of Supervision— Hearings and Sanctions
Develop a Community-Oriented Approach to Offender Management	<ul style="list-style-type: none">— Active Community Involvement— Community Risk and Safety— Guardians

Offender Accountability

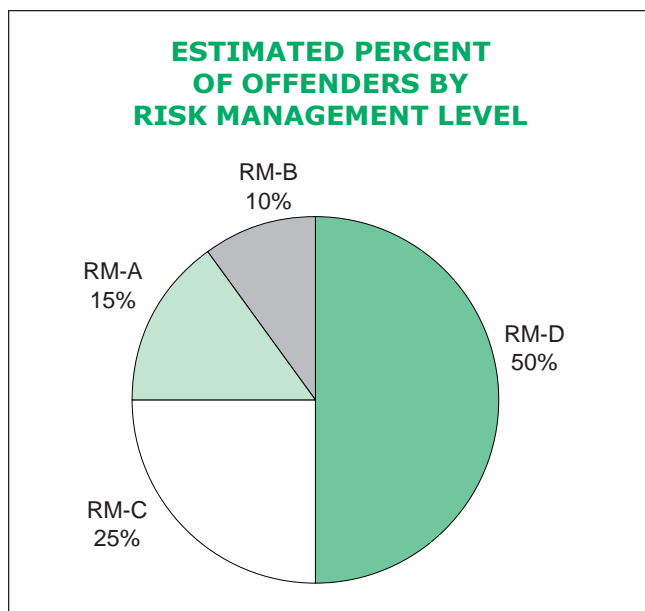
Focus Resources on High-Risk Offenders

Risk Assessment

High-risk offenders are identified through a risk assessment process. Risk assessment is defined in the Offender Accountability Act as the application of an objective instrument supported by research and adopted by the Department for the purpose of assessing an offender's risk of re-offense, taking into consideration:

- ◆ The nature of the harm done by the offender;
- ◆ Place and circumstances of the offender related to risk;
- ◆ The offender's relationship to a victim or potential victim; and
- ◆ Information provided to the Department by victims.

The Department estimates that approximately 15 percent of offenders will be classified as RM-A.



The Department utilizes the Level of Service Inventory-Revised (LSI-R) risk assessment tool to assess factors that research has identified as strong contributors to criminality and to measure an offender's risk to re-offend. The Department also uses additional risk assessment tools to supplement information provided by the LSI-R.

Risk Management

In 2000, the Department implemented a risk-management assessment process which classifies offenders based on the risk to re-offend and nature of the harm done. Offenders are classified into four types: Risk Management A (RM-A); RM-B; RM-C; and RM-D.

Offenders classified as RM-A pose the most serious risk to re-offend. They are:

- ◆ Offenders with an LSI-R score of 41 or over and who have been convicted of a violent crime;
- ◆ Level III sex offenders;
- ◆ Offenders who have been designated as dangerously mentally ill; or
- ◆ Offenders who do not meet the above criteria, but who have a documented history of violent or threatening behavior (these additional criteria are specifically defined in departmental policy).

Offender Accountability

Hold Offenders Accountable

Reparation

The Department will require offenders to make amends for the harm done to the victim or community. Examples of reparation activities include:

- ◆ Community service;
- ◆ Work crews;
- ◆ Payment of restitution; and/or
- ◆ Other activities to provide an offender the opportunity to make further reparation for harm done and to respond to victim issues.

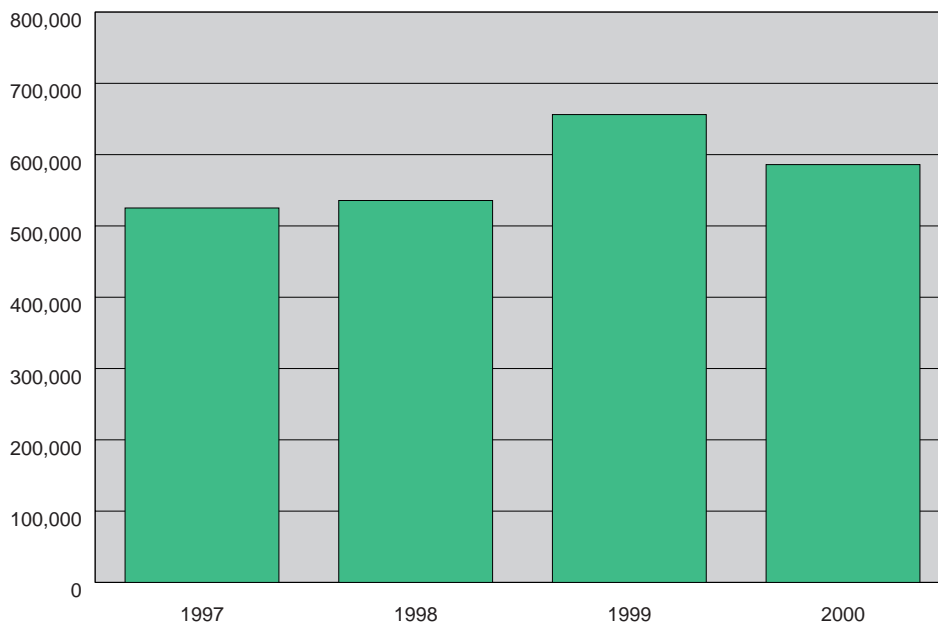
Restitution

Every felony offender sentenced within the state of Washington is required to pay at least one court-ordered legal financial obligation (LFO) - the crime victim's compensation fee. This restitution is intended specifically for victims. Other restitution may include payment of attorney fees, fines, etc. In addition, offenders living in the community are required to pay supervision fees while under supervision.



▲ Offenders clean up property damaged by graffiti.

**HOURS OF COMMUNITY SERVICE WORK
PERFORMED AS REPARATION**
Fiscal Years 1997-2000

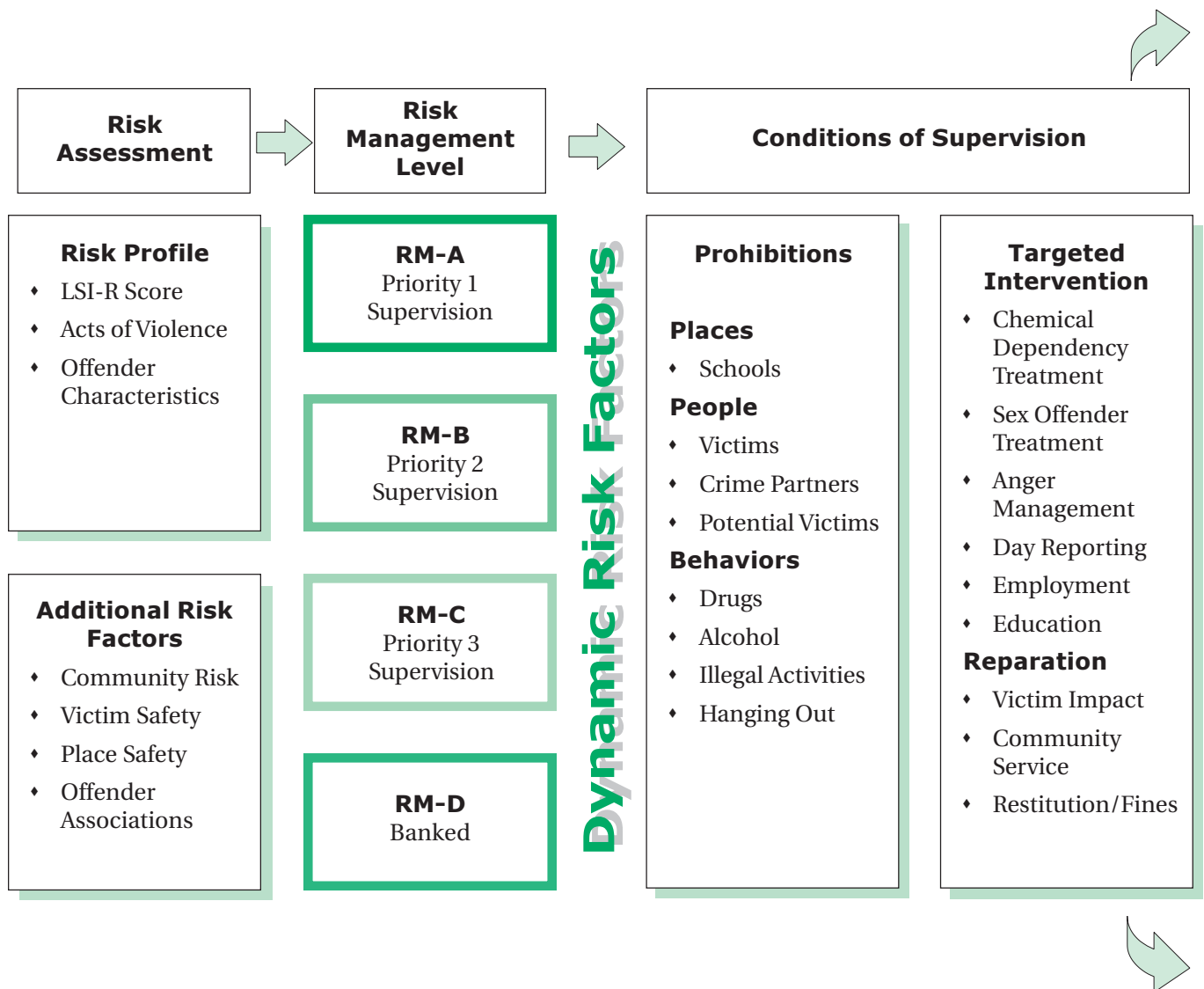


Offender Accountability

Hold Offenders Accountable

Offender Accountability Plan Process

The Offender Accountability Plan is shaped by the offender's risk assessment, risk management classification, and identified risk factors, as illustrated below.



Offender Accountability

Hold Offenders Accountable

The Offender Accountability Plan was developed in response to the Offender Accountability Act. It is the primary tool for coordinating, documenting, and communicating strategies that will be used to manage individual offenders. The chart below is an example of a completed Offender Accountability Plan.



Offender Accountability

Hold Offenders Accountable

Targeted Interventions

The Department plans to allocate resources based on risk by targeting interventions to specific offender risk factors. Targeted interventions are based on prioritized risk factors that are “dynamic” in that they are amenable to change. Providing programs and other interventions designed to reduce the dynamic risk factors of high-risk offenders should reduce their risk to re-offend.

The LSI-R identifies dynamic risk factors for individual offenders. Once they are identified, the following questions are used to prioritize the targeted dynamic risk factors:

- ◆ How strongly related is the risk factor to the offender’s offense pattern?

- ◆ Is the risk factor alterable or dynamic? Can it be changed?
- ◆ Can the risk factor be quickly addressed through the use of interventions?
- ◆ Will other risk factors be impacted if this risk factor is addressed?

The table below illustrates the link between dynamic risk factors identified by the LSI-R and possible targeted interventions.

Linking Risk Assessment to Targeted Interventions			
Offender with LSI-R Score of 24 (RM-C)			
Dynamic Risk Factor	Risk Score	Targeted Risk Factor?	Possible Targeted Intervention
Education/Employment	Moderate	No	
Financial	Low	No	
Family/Marital	High	Yes	Refer to family counseling.
Accommodations/Housing	Low	No	
Leisure/Recreation	High	Yes	Identify a guardian to spend time with offender in a pro-social setting.
Companions	Moderate	Yes	Establish prohibitions regarding persons who increase the offender's risk to re-offend.
Alcohol/Drug	High	Yes	Require attendance at AA meetings.
Emotional/Personal	Low	No	
Attitudes/Orientation	Moderate	Yes	Identify a pro-social support group.

Offender Accountability

Hold Offenders Accountable

Victims Participation

Victims are critical stakeholders in Department operations and victim safety is of paramount concern. The Department has instituted a Victim's Council to ensure that victims and victim advocates have a voice in the management of offenders. Victims are encouraged to participate in the development of Offender Accountability Plans and are also encouraged to volunteer for the Victim Awareness Education Program, which is designed to raise awareness among offenders of the harmful impacts of their crimes.

Conditions of Supervision

The Offender Accountability Act allows the Department to set and modify conditions of supervision for community custody offenders. The conditions must be relevant to the crime of conviction, offender's risk of re-offending, and safety of the community. For example, the Department may impose conditions prohibiting offenders from the following:

- ◆ Contact with the victim;
- ◆ Possession or consumption of drugs or alcohol;
- ◆ Frequenting high risk places; and/or
- ◆ Other prohibitions related to the offender's targeted risk factors and behaviors.

Hearings and Sanctions

The Offender Accountability Act expands the Department's jurisdiction to hold hearings and sanction offenders.

Research has shown that it is not the severity or duration of a sanction, but the swiftness and certainty of response to detected violations that is effective. Immediate consequences to violation behavior, through the use of a system of graduated sanctions, has a significant deterrent value. Total confinement is required mainly for the safety of the community.

Below is an illustration of the type of graduated sanctions available to Department staff.

<u>Graduated Sanctions</u>	<u>Example</u>
Enhancement	Increased Random Drug Testing
Reparation	Community Service Hours
Targeted Interventions	Alcoholics Anonymous
Treatment	Chemical Dependency Treatment
Partial Confinement	Work Release
Total Confinement	Prison

Offender Accountability

Develop a Community-Oriented Approach to Offender Management

Active Community Involvement

Effective management of offenders under the jurisdiction of the Department includes active community involvement.

Community safety requires collaboration and mobilization of resources at the neighborhood level. Research shows that informal social controls are more powerful than the coercive authority of the criminal justice system. In other words, “We can’t do it alone.” Communities, including victims, law enforcement, offenders, and families, will be involved in defining problems, seeking solutions, and developing community standards for managing offenders.

Community Risk and Safety

There is a growing awareness throughout the criminal justice system that public safety is more than having convicted felons closely monitored, or seeing a reduction in crime or recidivism rates. Public safety, generally speaking, or community safety, from a personalized point of view, is a condition found in places where people are free to live their lives without threat of criminal acts against their persons or property. Making safe communities is not a simple task. It is not the responsibility of one agency or one volunteer organization. It is something, however, in which the Department has a vital role to play. By collaborating with others in high-risk neighborhoods, be they criminal justice agencies or

concerned citizens and citizen organizations, the Department can be part of the problem solving that can lead to a broader sense of community justice.

Guardians

Guardians are at the core of the new community-oriented supervision model.

Guardians are individuals who have the capacity to influence the behavior of offenders. They can also influence the safety of victims or potential victims and the safety of places in our neighborhoods and communities. Victims, citizens, treatment providers, family members, and law enforcement will be asked to play a special role in managing offender risk. Supervision of offenders now involves the community.

“The worst thing we have done in corrections is to provide a cloak of anonymity over the offender. Informal social controls cannot work in a community if those who live next to or work with the offender do not know what the offender did, what they are supposed to do, and what they are not allowed to do.”

**Joseph D. Lehman,
Secretary,
Department of
Corrections**

Challenge: **Organizational Accountability**

Organizational Accountability

A performance driven organization focuses on results and engages both the internal and external interests to determine its direction and to align its activities.

The Department of Corrections will be a Performance Driven Organization when our total performance system enhances the safety of communities.

Moving to a Performance Driven Organization, Department of Corrections, June 1999

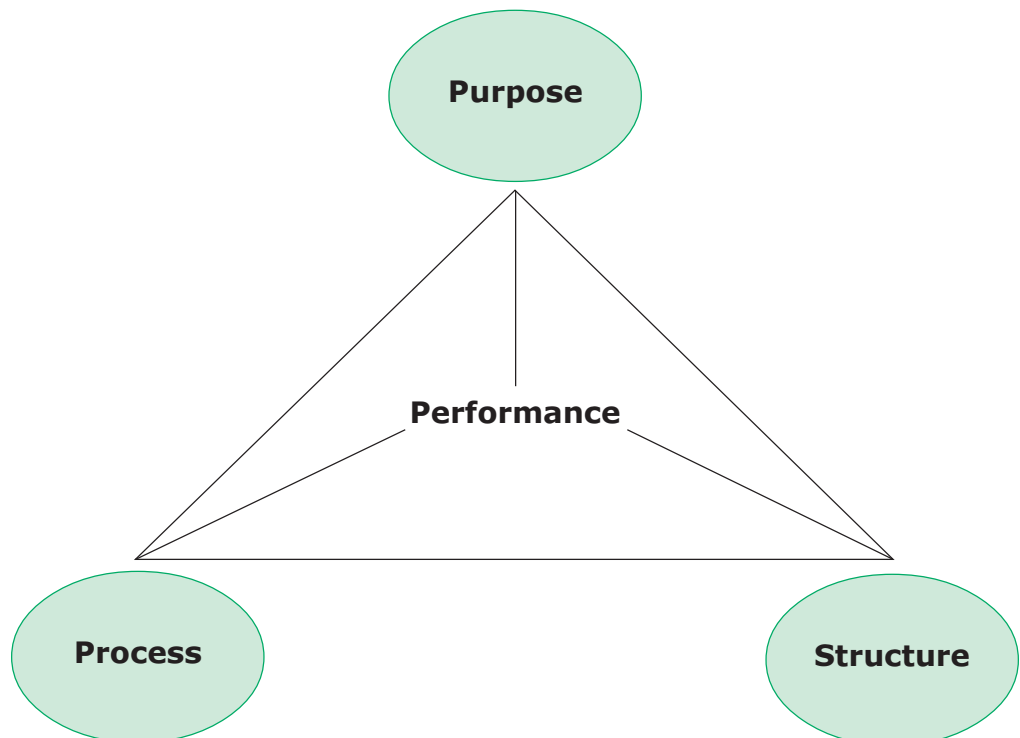
Hallmarks of a Performance Driven Organization

- ◆ Coordinated, non-duplicative planning and implementation with consideration of the organization's capacity.
- ◆ Decisions informed by research and data.
- ◆ Resources allocated to support continuous performance improvement in achieving the Department's Vision, Mission, and Strategic Plan.
- ◆ Shared processes and outcomes that measure Department accomplishments.
- ◆ Measurement and feedback systems that identify and address performance gaps at all levels.

Performance Council Roles and Responsibilities

In 1999, the Department established a Performance Council to:

- ◆ Establish criteria for Department initiatives using a balanced scorecard.
- ◆ Prioritize initiatives based on strategic advantage, resources, capacity, and need.
- ◆ Set and review aggregate performance measurements.
- ◆ Develop and monitor the Department's Strategic Plan.
- ◆ Develop a system to identify shortfalls between performance and expectations (gap analysis) throughout the organization.



Organizational Accountability

Total Quality Management

There are seven principles that form the foundation of Total Quality Management. All the tasks of building a quality work culture are in service of these principles:

Leadership:

- ◆ Establish unity of purpose and direction of the organization.
- ◆ Ensure clarity around roles and responsibilities.
- ◆ Involve all staff to support the changes necessary for success.

Strategic Planning:

- ◆ Develop the Department's view of the future.
- ◆ Set directions and deployment of operational performance requirements.
- ◆ Identify performance measures.

Stakeholder Focus:

- ◆ Understand what stakeholders want from Department services.
- ◆ Measure the success of work with the stakeholders' expectations.

Information and Analysis:

- ◆ Use research and the analysis of data to make effective decisions.
- ◆ Make decisions focused on performance as measured by stakeholders.

Employee Focus:

- ◆ Gather together the "profound knowledge" from all staff.
- ◆ Build a culture that enables all staff's abilities to be used for the Department's benefit.

Quality Process Improvement:

- ◆ Continually improve all work processes.
- ◆ Understand the entire process before creating solutions.

Performance Measures:

- ◆ Establish a system for routinely collecting and analyzing critical data.
- ◆ Use performance data to identify the Department's strengths, needs, and opportunities.

Beginning with the Governor's Quality Executive Order 97-03 in April 1997, the Department of Corrections has submitted 37 Quality Initiatives to the Governor's Office. This has resulted in savings of:

- ◆ **\$2,414,785 to the Department.**
- ◆ **\$452,190 to other agencies.**
- ◆ **44,363 staff hours.**

**DEPARTMENT OF CORRECTIONS
QUALITY SELF-ASSESSMENT PROCESS
1998, 1999, and 2000 Assessment Results**

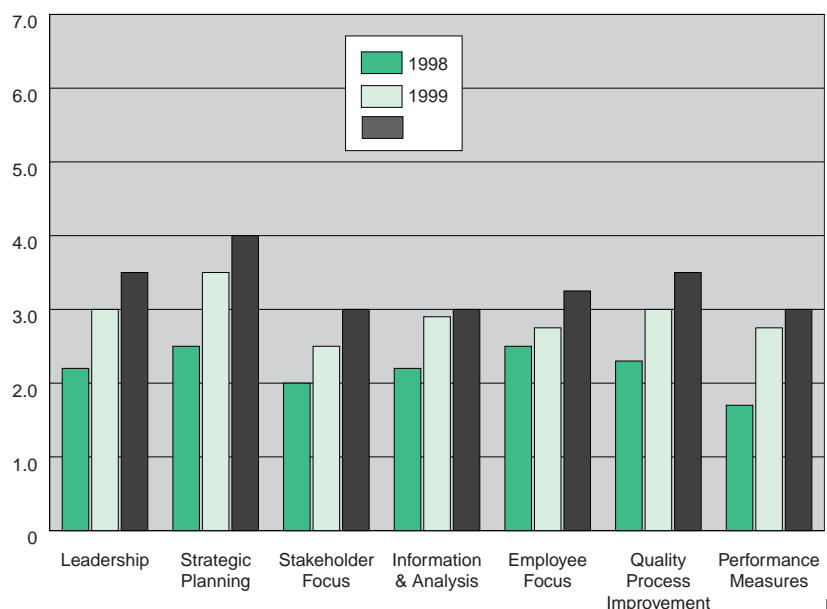


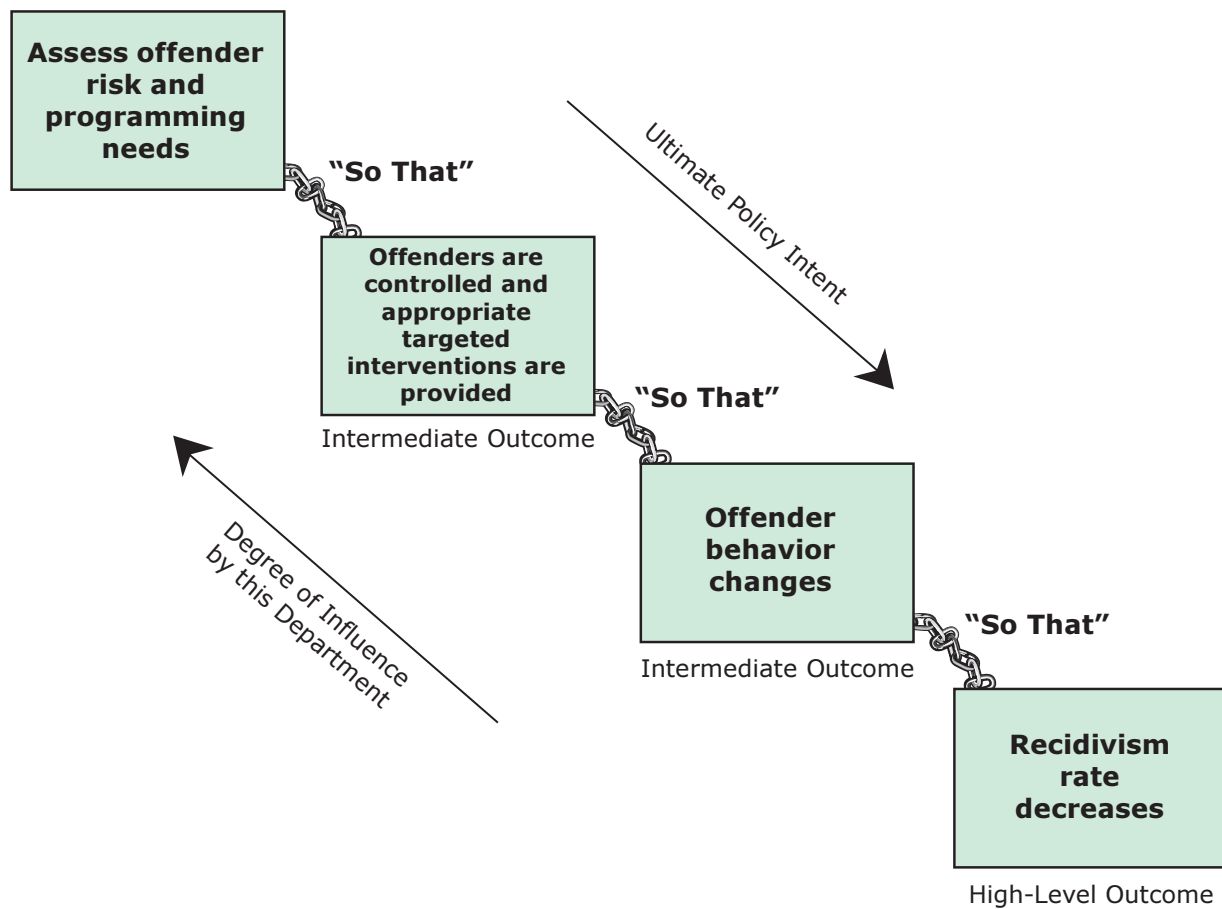
Chart 111

Organizational Accountability

Measuring Performance

There is a high degree of consensus about the ultimate goal of correctional programs - community safety. One measure of this goal is recidivism, or the rate at which offenders relapse into new criminal activities after their release. However, recidivism is a long-term measure. The effect offender programs have on recidivism cannot be measured until many years after the program has been completed.

Because of the difficulties in measuring recidivism, this plan focuses on intermediate measures. Intermediate measures are those that research has shown have a positive correlation with reducing recidivism. Intermediate measures provide a method for monitoring short-term and intermediate outcomes, an opportunity for results-based management, improved resource allocation decisions, and an ongoing system of measuring and evaluating performance.



The "So-That Chain" is a concept developed by Public Knowledge, Inc., and presented in their training seminar, "Instituting Performance and Outcome Measures."

Organizational Accountability

Research

The Department of Corrections strives to base its program and policy decisions on best practices and what the research shows. In many cases, this means going to the current literature to uncover relevant research findings. It also involves consultation and cooperation with practitioners in other jurisdictions or persons doing research on areas of interest. It may even mean conducting a study to obtain the most up-to-date, specific information possible.

The highest priority topics for research to be done by Department staff are:

- ◆ Offender violation behavior and the influence of the violation process and sanctions on subsequent behavior.
- ◆ The effectiveness of offender programs.

In addition to Department initiated research, research staff and operations staff at various levels and locations are evaluating the following:

- ◆ Neighborhood Based Supervision in Spokane.
- ◆ Pine Lodge Pre-Release Long-Term Residential Treatment Program for female offenders.
- ◆ Various aspects of the Offender Accountability Act.

Department staff also collaborate on a number of research projects being carried out by the Washington State Institute for

Public Policy, which is a research agency of the state Legislature. An evaluation of the Sex Offender Treatment Program, monitoring and evaluation of the dangerously mentally ill offender legislation, and evaluation of the Drug Offender Sentencing Alternative legislation passed in 1999 are all current projects where joint work is going on.

The Offender Accountability Act specifically directs the Washington State Institute for Public Policy to evaluate the implementation of the Act. The Institute has identified key outcomes and will publish results annually through 2010 as information becomes available. Outcomes to be evaluated by the Washington State Institute for Public Policy:

Does the Offender Accountability Act:

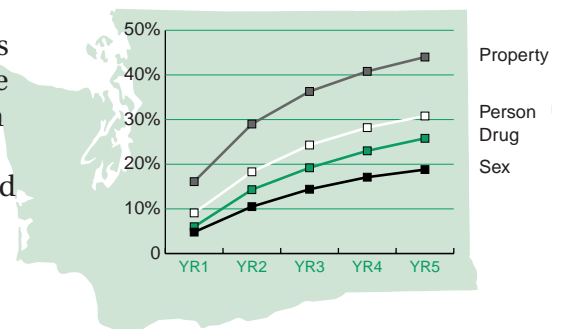
- ◆ Reduce recidivism?
- ◆ Affect the number and seriousness level of violations of conditions of community custody?
- ◆ Increase the use of graduated sanctions by the Department?
- ◆ Reduce unauthorized absences from supervision?
- ◆ Increase the payment of legal financial obligations by offenders?
- ◆ Reduce the use of unlawful controlled substances by offenders?
- ◆ Reduce the use of alcohol when abstention or treatment for alcoholism is a condition of supervision?
- ◆ Increase the number of offenders who are employed or participate in vocational rehabilitation?
- ◆ Increase participation in vocational and education programs?
- ◆ Reduce the use of public assistance?

Organizational Accountability

Thirty-two percent of offenders are returned to prison for a new conviction within five years of release. ▼

Recidivism in the broadest sense refers to offenders who relapse into criminal activity after having been convicted of a crime. Interstate comparisons of recidivism are not realistic because states do not use a consistent definition. The Washington State Department of Corrections defines recidivism as the return within five years after release to a Washington State adult correctional facility of an offender who was either paroled or discharged from such a facility.

AVERAGE PERCENT RETURN RATE BY OFFENSE
(Years Following Release Date)



PERCENT RETURN

Release Year	Year 1	Year 2	Year 3	Year 4	Year 5	Total
1985	10.2	9.4	4.7	4.2	3.4	31.9%
1986	9.3	8.3	5.0	4.8	3.5	30.9%
1987	8.8	8.5	6.5	3.7	2.5	30.0%
1988	12.1	10.9	6.5	3.6	1.4	34.5%
1989	12.3	10.0	5.4	2.7	2.2	32.6%
1990	12.1	11.0	5.8	4.1	2.4	35.4%
1991	10.9	8.9	5.3	3.5	2.8	31.4%
1992	8.9	9.4	6.0	4.6	3.1	32.0%
1993	8.8	9.8	6.1	3.8	2.8	31.4%
1994	8.8	9.0	6.1	3.9	3.1	30.8%
1995	9.3	9.1	6.2	4.0		
1996	9.8	10.4	6.2			
1997	9.7	9.2				
1998	9.1					
Average						32.0%

Chart 110